Appendix B Comment Response Matrix

Comment Response Matrix ALTERNATE FINANCED FACILITY MODERNIZATION EA OCTOBER 2004

Comment #	Page #	Section/Figure/ Table/Appendix	Line Number	Commentor	Comment	Response (Contractor)
1	2-9	Site Development	Para. 2	City of Oak Ridge	Add the at Site BCity of Oak Ridge water and sewer lines may also require relocation.	Comment incorporated.
2	2-9	Site Development		City of Oak Ridge	Fences and gates should not restrict city access to its utility lines that may cross the site.	Noted.
3	3-31	3.10		City of Oak Ridge	The EA states these issues are discussed in detail in the Y-12 SWEIS, which was prepared prior to the transfer of the DOE water plant to the City of Oak Ridge. As such, the final EA needs to state that City-owned raw, and treated water as well as sanitary sewer lines are on or near Site B.	Comment incorporated.
4	4-15	4.10.2		City of Oak Ridge	Need to add that existing City of Oak Ridge raw water and sanitary sewer lines may require relocation as part of the construction on Site B.	Comment incorporated.
5	4-16	4.11.2		City of Oak Ridge	Under <i>Construction</i> : Add that minor traffic interruptions can be expected on Scarboro Road as well as the streets already stated.	Comment incorporated.
6	4-16	4.11.2		City of Oak Ridge	under <i>Operation</i> : Add that there may be a need for offsite roadway improvements along Scarboro Road pending completion of a Traffic Impact Study as part of the design.	There would be no net change in employment as a result of this action. There may be minor traffic delays along Bear Creek Road and Scarboro Road due to the relocation of employees from offsite leased space. Since traffic impact is expected to be minor, neither roadway improvements nor a Traffic Impact Study are expected.
7	4-18	4.13.2		City of Oak Ridge	under Operation: Note that all current Y-12 sewer flow is metered and monitored through an existing station near Site B in compliance with the City issued wastewater discharge permit under the Industrial Pretreatment Program administered by the City. All flows from Site A should be directed to the existing Y-12 onsite sewer system to be measured and monitored before entry in the city's sewer system. As Site B is proposed to have a metered connection to the City's	It is anticipated that wastewater from the new facilities will be discharged to the City's sewer system. Connection points will be determined in consultation with the City.

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					water lines on Scarboro Road, an unmetered connection to the City's sewer system is possible however, the facility still needs to be evaluated for any industrial discharge requirements unless it also is directed into the Y-12 sanitary sewer lines.	
8				TDEC	The document should state clearly the path of the Comprehensive Environmental Response, Compensation Liability Act (CERCLA) Section 120(h) requirements that DOE intends to implement. The document omitted the discussion of CERCLA 120(h) requirements that apply to the transfer of federally owned land on the National Priority List (NPL) under any of the alternatives.	Section 1.0 of the EA briefly mentions the CERCLA 120(h) request that is being prepared for this action. A Covenant Deferral Request (CDR) (Y/TS-1948) to support the transfer of Sites A and B has been prepared and submitted to TDEC and EPA for review. A final version of the CDR is expected in January/February 2005.
9				TDEC	It is the expectation of the state that the appropriate environmental data will be provided within the CERCLA 120(h) documentation to determine the acceptability of the parcels for their intended use. The state will review the CERCLA documentation to determine data adequacy.	Soil analytical data for Sites A and B are in Appendix E of the Draft CDR (Y/TS-1948) dated November 2004.
10		1.2	Para. 3	TDEC	Section 3.3 of the Final Site-Wide EIS for the Y-12 National Security Complex should be added to this document as an appendix in order to allow the reader knowledge of the proposed sites. Also, if Site B was not considered as a candidate site for new modernization, what criteria have brought Site B to the forefront?	Site B was selected based on its intended purpose, use, and location. Since the facility at Site B would house functions that required frequent public interface, Site B was an ideal location because it is in close proximity to the Y-12 Site but located outside of the property protected area of Y-12.
11		1,2		TDEC	A description of past structures and land uses in this area would be beneficial for the reader to establish if potential unknown problems exist.	The CDR (Y/TS-1948) addresses any potential historical contamination problems that may have occurred at these sites from prior activities, structures, and land uses. Historical aerial photographs of Sites A and B are provided in Appendix D of the CDR.
12	2-9		Para. 3	TDEC	"tans" should be "tanks"	Comment incorporated.
13	2-9		Para. 4	TDEC	A site location is mentioned as a former location of Building 9704-2. Somewhere in the document there	Building 9704-2 was used for administrative functions and has been

Comment #	Page #	Section/Figure/ Table/Appendix	Line Number	Commentor	Comment	Response (Contractor)
					should be a description and history of the building.	demolished. Since the building was demolished during the preparation of the EA, it was not discussed. This building's demolition is covered under a separate NEPA document.
14		Figure 3.1.1		TDEC	This is an inadequate figure showing the Y-12 boundary map. Section 3.1.1 reference several areas; for example, Lake Reality and former New Hope Pond Site that are not shown in the figure.	Lake Reality and the former New Hope Pond are shown on Figure 2.2-1. The purpose of Figure 3.1-1 is to identify the area being discussed in the Land Use section.
15		3.5.1	Para. 2	TDEC	Groundwater at Y-12 is divided is three"Replace the second "is" with "into"	Comment incorporated.
16		3.6.1	5	TDEC	Line 6 states "U.S. Fish and Wildlife Services (USFWS) records indicates that the federally endangered Indiana Bag (myotis sodalis) may be also be present in the vicinity of Y-12: however, this bat has not been observed at Y-12 or other parts of the ORR (DOE 2001a)." However a Table 3.6-1 Federal or state-listed threatened and endangered species reported on the Oak Ridge Reservation, the Indiana bat is listed. Please explain the inconsistency.	While the Indiana bat has not been observed at Y-12 or other parts of ORR, it is listed in Table 3.6-1 because the USFWS records suggest it may be present on the ORR.

CITY OF OAK RIDGE



OFFICE OF THE MAYOR

POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001

December 17, 2004

Robert E. Hamby U.S. Department of Energy National Nuclear Security Administration P.O. Box 2050 Oak Ridge, TN 37831-8009

VIA FACSIMILE AND U.S. MAIL

Comments on the Draft Environmental Assessment for the Alternate Financed Facility Modernization (DOE/EA-1510, October 2004)

Dear Mr. Hamby:

On December 13, 2004 the Oak Ridge City Council unanimously adopted Resolution Number 12-158-04 authorizing the transmittal of the enclosed comments on the subject environmental assessment (EA) as the official comments of the City of Oak Ridge.

As you are aware, the modernization of the Y-12 site is of great importance to the City and the region, as it is expected to serve as the basis for maintaining and expanding work performed by the National Nuclear Security Administration in Oak Ridge. In that regard, the City of Oak Ridge strongly endorses the proposed action, identified in the EA as *Alternative 2 -Land Transfer*.

Thank you for your consideration of these comments. Should you have any questions, feel free to contact Jim O'Connor, City Manager, at (865) 425-3550.

Sincerely,

David R. Bradshaw Mayor

mil R. Bradshaw

Enclosures

cc w/ enclosures: James R. O'Connor, City Manager

Amy S. Fitzgerald, Government and Public Affairs Coordinator

Bill Brumley, Director, NNSA Y-12 Site Office

RESOLUTION

WHEREAS, the U.S. Department of Energy (DOE)'s National Nuclear Security Administration (NNSA) owns the Y-12 National Security Complex (Y-12) located in Oak Ridge, Tennessee; and

WHEREAS, the NNSA has identified a need for additional facilities to replace existing facilities, many of which are more than fifty years old and no longer efficiently support the mission, vision, and goals of Y-12; and

WHEREAS, as part of the NNSA modernization mission, NNSA is proposing to implement the Alternate Financed Development (AFD) Project at Y-12 through a collaboration with private entities that would design, finance, and construct two buildings in support of NNSA's missions and;

WHEREAS, the two buildings combined would be approximately 540,000 square feet in size and would accommodate approximately 1,500 administrative, technical, scientific, and support personnel; and

WHEREAS, the goal of this collaboration is to construct technical, administrative, and light laboratory facilities, enhance worker health and safety, and reduce operating costs; and

WHEREAS, the NNSA has prepared a draft final environmental assessment (EA) as part of the decision-making process to assess potential environmental impacts of the project in accordance with the National Environmental Policy Act (NEPA) of 1969; and

WHEREAS, the NNSA is soliciting comments on the EA entitled *Final Environmental Assessment for the Alternate Financed Facility Modernization (DOE/EA-1510, October 2004)*; and

WHEREAS, the Oak Ridge City Council adopted Resolution 11-142-04, declaring that the City Council strongly endorses and supports the alternatively financed development approach for the new administrative and technical support facilities at the Y-12 National Security Complex as proposed; and

WHEREAS, the City of Oak Ridge desires to officially comment to NNSA on the EA and has prepared comments and recommendations for NNSA's consideration; and

WHEREAS, the City Manager recommends transmittal of the attached document entitled City of Oak Ridge, Tennessee's Comments on the U.S. Department of Energy's (DOE) Final Environmental Assessment for the Alternate Financed Facility Modernization (DOE/EA-1510, October 2004).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the attached comments entitled City of Oak Ridge, Tennessee's Comments on the U.S. Department of Energy's (DOE) Final Environmental Assessment for the Alternate Financed Facility Modernization (DOE/EA-1510, October 2004) be transmitted to the National Nuclear Security Administration as the official comments of the City of Oak Ridge.

This the 13th day of December 2004.

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Mayor

Jank Brodelant

City of Oak Ridge, Tennessee's Comments on the U.S. Department of Energy's (DOE) Final Environmental Assessment for the Alternate Financed Facility Modernization (DOE/EA-1510, October 2004)

General Comments: The City of Oak Ridge endorses the proposed action, identified in the environmental assessment (EA) as Alternative 2 - Land Transfer, as NNSA's preferred alternative. Under Alternative 2, two parcels of land (Sites A and B) would be transferred by DOE to a private entity under Section 161(g) of the Atomic Energy Act. The parcel to be transferred at Site A would be approximately 8 acres; the parcel to be transferred at Site B would be approximately 9 acres.

The City of Oak Ridge strongly supports the redevelopment of the main area of Y-12, where Sites A and B are located, because this area is already developed and is classified by DOE in the agency's industrial use category. Thus, environmental consequences appear to be minimal, as the construction of the new facilities at both Sites A and B would be consistent with the current land use patterns at Y-12.

The socioeconomic benefits to all parties are significant, and the City of Oak Ridge views the proposed project as beneficial to both federal and local taxpayers. These benefits are described in greater detail in the attached City Council Resolution 11-142-04, which is incorporated herein so as to become part of the City's official comments for the public record.

<u>Specific Comments:</u> The following recommendations are made for incorporation into the final document:

Page 2-9, under Site Development, Paragraph #2 add the at Site B......City of Oak Ridge water and sewer lines may also require relocation.

- 2. Same section: Fences and gates should not restrict City access to its utility lines that may cross the site.
- 3. Page 3-31, Section 3.10 under *Site Infrastructure*: The EA states these issues are discussed in detail in the Y-12 SWEIS, which was prepared prior to the transfer of the DOE water plant to the City of Oak Ridge. As such, the final EA needs to state that City-owned raw, and treated water as well as sanitary sewer lines are on or near Site B.
- 4. Page 4-15, Section 4.10.2 needs to add that existing City of Oak Ridge raw water and sanitary sewer lines may require relocation as part of the construction on Site B.
- 5. Page 4-16, Section 4.11.2 under *Construction*: Add that minor traffic interruptions can be expected on Scarboro Road as well as the streets already stated.
- 6. Same section under *Operation*: Add that there may be a need for off-site roadway improvements along Scarboro Road pending completion of a Traffic Impact Study as part of the design.
- 7. Page 4-18, Section 4.13.2 under Operation: Note that all current Y-12 sewer flow is metered and monitored through an existing station near Site B in compliance with the City issued wastewater discharge permit under the Industrial Pretreatment Program administered by the City. All flow from Site A should be directed to the existing Y-12 on-site sewer system to be measured and monitored before entry into the city's sewer system. As Site B is proposed to have a metered connection to the City's water lines on Scarboro Road, an unmetered connection to the City's sewer system is possible however, the facility will still need to be evaluated for any industrial discharge requirements unless it also is directed into the Y-12 sanitary sewer lines.

RESOLUTION

WHEREAS, the United States Department of Energy (DOE) Oak Ridge Operations and the National Nuclear Security Administration (NNSA) Y-12 Site Office provide leadership in the national mission areas of science, national security, and environmental management; and

WHEREAS, through the efforts of the men and women employed by the DOE and NNSA contractors and subcontractors in Oak Ridge, new and leading edge techniques in manufacturing, materials & energy research, biological & computational sciences, and environmental stewardship have been successfully developed and deployed; and

WHEREAS, these new and leading edge techniques are not limited to the areas of science and manufacturing only; in addition, they extend to the arena of cutting edge business practices such as the teaming of BWXT Y-12, LLC and Lawler-Wood, LLC to construct two new administrative and technical support facilities at the Y-12 National Security Complex (Y-12); and

WHEREAS, the two new facilities will support Y-12's overall modernization plan and will consist of 555,000 square feet of space designed to house over 1400 personnel and replace over 30 buildings with an average age of over 50 years; they will enhance Y-12's ability to successfully recruit the next generation of professional and technical employees that are vital to Y-12's national security mission; and

WHEREAS, the facilities will be constructed and owned by the private sector and leased back to BWXT Y-12, LLC at tremendous savings to federal taxpayers; and

WHEREAS, the alternatively financed development approach proposed by BWXT Y-12, LLC and Lawler-Wood, LLC will not only save federal tax dollars, but will also have tremendous and immediate benefit to the 71,330 citizens of Oak Ridge and Anderson County, which benefits include an annual estimated property tax payment of over \$900,000 to Oak Ridge and over \$1,000,000 to Anderson County; and

WHEREAS, these tax payments will allow Oak Ridge and Anderson County to enhance local police and fire protection, improve school facilities and educational programming, boost economic development and provide the quality of life services expected of communities hosting DOE facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That this Council strongly endorses and supports the alternatively financed development approach for the new administrative and technical support facilities at the Y-12 National Security Complex as proposed by BWXT Y-12, LLC and Lawler-Wood, LLC.

BE IT FURTHER RESOLVED that the expeditious approval of this development approach is encouraged so that actual construction can begin and the tremendous benefits to national security, the savings to federal taxpayers, and the positive impact to our local communities can be realized at the earliest possible time.

This the 1st day of November 2004.

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Mayor

City/Clerk/



STATE OF TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION DOE OVERSIGHT DIVISION 761 EMORY VALLEY ROAD OAK RIDGE, TENNESSEE 37830-7072

December 17, 2004

Robert E. Hamby
National Nuclear Security Administration
Y-12 Site Office NEPA Compliance Officer
PO Box 2050
Oak Ridge, Tennessee 37831-8009

Dear Mr. Hamby

National Environmental Policy Act Environment Assessment (DOE- EA-1510) for the Y-12 Alternate Financed Facility Modernization

The Tennessee Department of Environment and Conservation, DOE Oversight Division has reviewed the above subject document in accordance with the requirements of the National Environmental Policy Act (NEPA) and associated regulations of 40 CFR 1500-1508 and 10 CFR 1021 as implemented.

General Comments:

The document should state clearly the path of the Comprehensive Environmental Response, Compensation Liability Act (CERCLA) Section 120(h) requirements that DOE intends to implement. The document omitted the discussion of CERCLA 120(h) requirements that apply to the transfer of federally owned land on the National Priority List (NPL) under any of the alternatives.

It is the expectation of the State that appropriate environmental data will be provided within the CERCLA 120(h) documentation to determine the acceptability of the parcels for their intended use. The state will review the CERCLA documentation to determine data adequacy.

Specific Comments:

<u>Section 1.2, Paragraph 3:</u> Section 3.3 of the *Final Site-Wide EIS for the Y-12 National Security Complex* should be added to this document as an appendix in order to allow the reader knowledge of the proposed sites. Also, if Site B was not considered as a candidate site for new modernization, what criteria have brought Site B to the forefront?

<u>Section 1.2, General:</u> A description of past structures and land uses in this area would be beneficial for the reader to establish if potential unknown problems exist.

Page 2-9, Paragraph 3: "tans" should be "tanks."

<u>Page 2-9, Paragraph 4:</u> A site location is mentioned as a former location of Building 9704-2. Somewhere in the document there should be a description and history of the building.

<u>Figure 3.1.1:</u> This is an inadequate figure showing the Y-12 boundary map. Section 3.1.1 references several areas; for example, Lake Reality and former New Hope Pond Site that are not shown in the figure.

Section 3.5.1, Groundwater, Paragraph 2: "Groundwater at Y-12 is divided is three." Replace the second "is" with "into."

Section 3.6.1, Threatened and Endangered Species, Line 5: states "U.S. Fish and Wildlife Services (USFWS) records indicates that the federally endangered Indiana Bat (myotis sodalis) may also be present in the vicinity of Y-12: however, this bat has not been observed at Y-12 or other parts of the ORR (DOE 2001a)." However, on Table 3.6-1 Federal or State-Listed Threatened and Endangered Species Reported on the Oak Ridge Reservation, the Indiana Bat is listed. Please explain the inconsistency.

If you have any questions concerning these comments, please contact Chudi Nwangwa at (865) 481-0995.

Sincerely

John A. Owsley

Director

cc Alan Leiserson, TDEC-OGC Karen Stachowski, TDEC